



New South Wales

Fisheries Management Amendment (Fees) Regulation 2005

under the

Fisheries Management Act 1994

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Fisheries Management Act 1994*.

IAN MICHAEL MACDONALD, M.L.C.,
Minister for Primary Industries

Explanatory note

The object of this Regulation is to increase certain fees, charges and contributions payable under the *Fisheries Management Act 1994*, generally in line with movements in the Consumer Price Index. The Principal Regulations that are amended are as follows:

- (a) *Fisheries Management (Abalone Share Management Plan) Regulation 2000*,
- (b) *Fisheries Management (Aquaculture) Regulation 2002*,
- (c) *Fisheries Management (General) Regulation 2002*,
- (d) *Fisheries Management (Lobster Share Management Plan) Regulation 2000*.

This Regulation is made under the *Fisheries Management Act 1994*, including section 289 (the general regulation-making power).

2005 No 307

Clause 1 Fisheries Management Amendment (Fees) Regulation 2005

Fisheries Management Amendment (Fees) Regulation 2005

under the

Fisheries Management Act 1994

1 Name of Regulation

This Regulation is the *Fisheries Management Amendment (Fees) Regulation 2005*.

2 Commencement

This Regulation commences on 1 July 2005.

3 Amendment of Fisheries Management (Abalone Share Management Plan) Regulation 2000

The *Fisheries Management (Abalone Share Management Plan) Regulation 2000* is amended as set out in Schedule 1.

4 Amendment of Fisheries Management (Aquaculture) Regulation 2002

The *Fisheries Management (Aquaculture) Regulation 2002* is amended as set out in Schedule 2.

5 Amendment of Fisheries Management (General) Regulation 2002

The *Fisheries Management (General) Regulation 2002* is amended as set out in Schedule 3.

6 Amendment of Fisheries Management (Lobster Share Management Plan) Regulation 2000

The *Fisheries Management (Lobster Share Management Plan) Regulation 2000* is amended as set out in Schedule 4.

Fisheries Management Amendment (Fees) Regulation 2005

Amendment of Fisheries Management (Abalone Share Management Plan) Regulation 2000 Schedule 1

**Schedule 1 Amendment of Fisheries Management
(Abalone Share Management Plan)
Regulation 2000**

(Clause 3)

- [1] Appendix Abalone Share Management Plan**
Omit “\$226” from clause 9 (2) (a). Insert instead “\$231”.
- [2] Appendix, clause 9 (2) (b)**
Omit “\$395”. Insert instead “\$405”.
- [3] Appendix, clause 10 (7)**
Omit “\$339”. Insert instead “\$347”.
- [4] Appendix, clause 19 (2) (b)**
Omit “\$169”. Insert instead “\$173”.
- [5] Appendix, clause 21 (5), note**
Omit “\$113”. Insert instead “\$116”.

2005 No 307

Fisheries Management Amendment (Fees) Regulation 2005

Schedule 2 Amendment of Fisheries Management (Aquaculture) Regulation 2002

Schedule 2 Amendment of Fisheries Management (Aquaculture) Regulation 2002

(Clause 4)

- [1] Clause 5 Fee payable when applying for an aquaculture permit**
Omit “\$226” wherever occurring in clause 5 (1) (a) and (b).
Insert instead “\$231”.
- [2] Clause 5 (1) (c) and (f)**
Omit “\$339” wherever occurring. Insert instead “\$347”.
- [3] Clause 5 (1) (d), (g) and (h)**
Omit “\$564” wherever occurring. Insert instead “\$578”.
- [4] Clause 5 (1) (e)**
Omit “\$451”. Insert instead “\$462”.
- [5] Clause 5 (1) (i) and (2) (a)**
Omit “\$56” wherever occurring. Insert instead “\$58”.
- [6] Clause 5 (2) (b)**
Omit “\$113”. Insert instead “\$116”.
- [7] Clause 7 Aquaculture permit holders liable to pay contributions towards cost of administration**
Omit “\$395” from clause 7 (2). Insert instead “\$405”.
- [8] Clause 11 Aquaculture permit holders liable to pay contributions for research**
Omit “\$28” from clause 11 (3). Insert instead “\$29”.
- [9] Clause 11 (4) (a) (i) and (b)**
Omit “\$113” wherever occurring. Insert instead “\$116”.
- [10] Clause 31 Procedure for applying for an aquaculture lease**
Omit “\$564” wherever occurring in clause 31 (2) (a), (b) and (c).
Insert instead “\$578”.
- [11] Clause 31 (2) (d)**
Omit “\$903”. Insert instead “\$925”.

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- [12] **Clause 38 Application for renewal of an aquaculture lease**
Omit “\$451” from clause 38 (2) (a). Insert instead “\$462”.
- [13] **Clause 38 (2) (b) and (d)**
Omit “\$339” wherever occurring. Insert instead “\$347”.
- [14] **Clause 38 (2) (c)**
Omit “\$564”. Insert instead “\$578”.
- [15] **Clause 40 Minimum rent for leased area**
Omit “\$113” from clause 40 (1) (a). Insert instead “\$116”.
- [16] **Clause 40 (1) (b)**
Omit “\$42”. Insert instead “\$43”.
- [17] **Clause 44 Fee payable for Minister’s consent to subletting of leased area**
Omit “\$395”. Insert instead “\$405”.
- [18] **Clause 45 Procedure for getting Minister’s consent to transfer of aquaculture lease**
Omit “\$621” from clause 45 (2) (c). Insert instead “\$636”.
- [19] **Clause 45 (3)**
Omit “\$56”. Insert instead “\$58”.
- [20] **Clause 46 Transmission of aquaculture lease on lessee’s death**
Omit “\$395” from clause 46 (1) (b). Insert instead “\$405”.
- [21] **Clause 46 (2)**
Omit “\$56”. Insert instead “\$58”.
- [22] **Clause 47 Aquaculture lease may be surrendered**
Omit “\$282” from clause 47 (1) (b). Insert instead “\$289”.
- [23] **Clause 47 (2)**
Omit “\$56”. Insert instead “\$58”.
- [24] **Clause 47 (3) (d)**
Omit “\$395”. Insert instead “\$405”.

2005 No 307

Fisheries Management Amendment (Fees) Regulation 2005

Schedule 2 Amendment of Fisheries Management (Aquaculture) Regulation 2002

- [25] **Clause 48 Aquaculture leases may be consolidated**
Omit "\$451" from clause 48 (2) (c). Insert instead "\$462".
- [26] **Clause 49 Aquaculture leases may be subdivided**
Omit "\$451" from clause 49 (2) (c). Insert instead "\$462".
- [27] **Clause 50 Certified copy of lease or plan**
Omit "\$56" wherever occurring in clause 50 (1) (a) and (3) (c).
Insert instead "\$58".
- [28] **Clause 54 Obligations of aquaculture lessee to mark out leased area**
Omit "\$56" from clause 54 (5). Insert instead "\$58".
- [29] **Clause 66 Permit required to gather marine vegetation for commercial purposes**
Omit "\$113" from clause 66 (10). Insert instead "\$116".
- [30] **Clause 67 Fee for permit under section 37**
Omit "\$169" from clause 67 (1). Insert instead "\$173".

Schedule 3 Amendment of Fisheries Management (General) Regulation 2002

(Clause 5)

- [1] Clause 113 Permit to use explosives**
Omit "\$113" from clause 113 (5). Insert instead "\$116".
- [2] Clause 115 Permit to use electrical devices**
Omit "\$113" from clause 115 (5). Insert instead "\$116".
- [3] Clause 133A Fees for marine park permits under section 37 of the Act**
Omit "\$57" from clause 133A (1). Insert instead "\$58".
- [4] Clause 136 Nomination of commercial fisher by shareholder**
Omit "\$339" from clause 136 (1). Insert instead "\$347".
- [5] Clause 137 Special endorsements to take fish in share management fishery**
Omit "\$113". Insert instead "\$116".
- [6] Clause 141 Fee for registration of dealings in shares**
Omit "\$169" from clause 141 (1) (a). Insert instead "\$173".
- [7] Clause 141 (1) (b)**
Omit "\$339". Insert instead "\$347".
- [8] Clause 142 Fee for inspection of Share Register and registered documents**
Omit "\$11" from clause 142 (1) (a) (i). Insert instead "\$12".
- [9] Clause 142 (1) (b)**
Omit "\$56". Insert instead "\$58".
- [10] Clause 144 Fee to accompany application for commercial fishing licence**
Omit "\$451" from clause 144 (a). Insert instead "\$462".
- [11] Clause 144 (b)**
Omit "\$113". Insert instead "\$116".
- [12] Clause 147 Renewal of commercial fishing licence**
Omit "\$226" from clause 147 (2) (a). Insert instead "\$231".

2005 No 307

Fisheries Management Amendment (Fees) Regulation 2005

Schedule 3 Amendment of Fisheries Management (General) Regulation 2002

- [13] **Clause 147 (2) (b) and (7)**
Omit "\$113" wherever occurring. Insert instead "\$116".
- [14] **Clause 150 Annual contribution to cost of research and to other industry costs**
Omit "\$396" from clause 150 (1). Insert instead "\$406".
- [15] **Clause 150A Annual contribution towards fishery monitoring programs**
Omit "\$300" from clause 150A (3). Insert instead "\$307".
- [16] **Clause 150A (3)**
Omit "\$100". Insert instead "\$102".
- [17] **Clause 150A (3)**
Omit "\$600". Insert instead "\$614".
- [18] **Clause 151 Fee to accompany application for issue of fishing boat licence**
Omit "\$158" wherever occurring in clause 151 (1) (a) and (b).
Insert instead "\$162".
- [19] **Clause 151 (3) (a) and (b)**
Omit "\$45" wherever occurring. Insert instead "\$46".
- [20] **Clause 154 Renewal of fishing boat licence**
Omit "\$45" wherever occurring in clause 154 (2) (a) and (b) and (10) (a) and (b).
Insert instead "\$46".
- [21] **Clause 154 (7)**
Omit "\$113". Insert instead "\$116".
- [22] **Clause 155 Additional licence fee for boats authorised to prawn trawl in ocean prawn trawl restricted fishery**
Omit "\$1.69" wherever occurring in clause 155 (2) and (6).
Insert instead "\$1.73".
- [23] **Clause 158 Transfer of right to a fishing boat licence**
Omit "\$282" from clause 158 (3). Insert instead "\$289".

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- [24] **Clause 159 Boats taken to be licensed under the Act**
Omit "\$113" from clause 159 (3). Insert instead "\$116".
- [25] **Clause 161 Fee to accompany application for registration**
Omit "\$113" from clause 161. Insert instead "\$116".
- [26] **Clause 164 Application for authority to use unregistered crew members**
Omit "\$56" from clause 164 (2). Insert instead "\$58".
- [27] **Clause 173 Nominated fishers**
Omit "\$339" from clause 173 (2) (c). Insert instead "\$347".
- [28] **Clause 177 Endorsement fee**
Omit "\$451" from clause 177 (1) (a). Insert instead "\$462".
- [29] **Clause 177 (1) (b)**
Omit "\$226". Insert instead "\$231".
- [30] **Clause 181 Transfer of quota**
Omit "\$169" from clause 181 (2) (c). Insert instead "\$173".
- [31] **Clause 226 Fee for new endorsements**
Omit "\$5,351" from clause 226 (1) (a). Insert instead "\$5,479".
- [32] **Clause 238 Endorsement fees**
Omit "\$2,257" from clause 238 (1) (a). Insert instead "\$2,312".
- [33] **Clause 238 (1) (b) and (c)**
Omit "\$282" wherever occurring. Insert instead "\$289".
- [34] **Clause 242 Transfer fee**
Omit "\$2,822" from clause 242 (1). Insert instead "\$2,889".
- [35] **Clause 258 Application for endorsement**
Omit "\$282" wherever occurring in clause 258 (3) (a), (c) and (d).
Insert instead "\$289".
- [36] **Clause 258 (3) (b)**
Omit "\$56". Insert instead "\$58".

2005 No 307

Fisheries Management Amendment (Fees) Regulation 2005

Schedule 3 Amendment of Fisheries Management (General) Regulation 2002

- [37] **Clause 258 (3) (c) and (d)**
Omit "\$34" wherever occurring. Insert instead "\$35".
- [38] **Clause 267 Application for endorsement of licence for further period**
Omit "\$282" wherever occurring in clause 267 (3) (a), (c) and (d).
Insert instead "\$289".
- [39] **Clause 267 (3) (b)**
Omit "\$56". Insert instead "\$58".
- [40] **Clause 267 (3) (c) and (d)**
Omit "\$34" wherever occurring. Insert instead "\$35".
- [41] **Clause 273 Application for special endorsement**
Omit "\$34" from clause 273 (2). Insert instead "\$35".
- [42] **Clause 285 Applications for registration as fish receiver**
Omit "\$847" from clause 285 (2). Insert instead "\$867".
- [43] **Clause 299 Annual licence fee**
Omit "\$423" from clause 299 (1). Insert instead "\$433".
- [44] **Clause 299 (1)**
Omit "\$85". Insert instead "\$87".
- [45] **Clause 305 Transfer of entitlement to history of operations**
Omit "\$282" from clause 305 (3). Insert instead "\$289".
- [46] **Clause 306 Boat replacement**
Omit "\$282" from clause 306 (1) (b). Insert instead "\$289".
- [47] **Clause 308 Renewal of licence**
Omit "\$113" from clause 308 (5). Insert instead "\$116".
- [48] **Clause 339 Fees for permits under Part 7 of the Act**
Omit "\$200" from clause 339 (1). Insert instead "\$205".

Fisheries Management Amendment (Fees) Regulation 2005

Amendment of Fisheries Management (General) Regulation 2002

Schedule 3

[49] Clause 339 (2) (a)

Omit "\$111". Insert instead "\$113".

[50] Clause 339 (2) (b)

Omit "\$56". Insert instead "\$58".

2005 No 307

Fisheries Management Amendment (Fees) Regulation 2005

Schedule 4

Amendment of Fisheries Management (Lobster Share Management Plan)
Regulation 2000

**Schedule 4 Amendment of Fisheries Management
(Lobster Share Management Plan)
Regulation 2000**

(Clause 6)

[1] Appendix Lobster Share Management Plan

Omit “\$226” from clause 9 (2) (a). Insert instead “\$231”.

[2] Appendix, clause 9 (2) (b)

Omit “\$395”. Insert instead “\$405”.

[3] Appendix, clause 10 (7)

Omit “\$339”. Insert instead “\$347”.

[4] Appendix, clause 19 (2) (b)

Omit “\$169”. Insert instead “\$173”.

[5] Appendix, clause 46 (5), note

Omit “\$113”. Insert instead “\$116”.

[6] Appendix, clause 54 (4)

Omit “\$109”. Insert instead “\$112”.

BY AUTHORITY